

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**HUMBERTO TINOCO, CESAR
MENDEZ, JOSE MAURICIO,
RICARDO MORALES, APOLINAR
RODRIGUEZ, and ANASTACIO
PEREZ**, on behalf of themselves and all
other employees similarly situated, known
and unknown,

Plaintiffs,

v.

OCTAVIO TAPIA, individually, and
AMERICA AUTO SERVICE, INC., an
Illinois corporation,

Defendants.

No. 08 CV 1365

Judge Amy J. St. Eve
Magistrate Judge Nan R. Nolan

NOTICE OF MOTION

On **Thursday, June 26, 2008, at 8:30 a.m.** (piggybacked on status already scheduled) or as soon thereafter as counsel may be heard, I shall appear before Judge St. Eve in Courtroom 1241 at the Everett McKinley Dirksen Building, located at 219 South Dearborn Street, Chicago, Illinois, and then and there present the attached motion: **Motion to Strike Defendants' First and Third Affirmative Defenses.**

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on June 2, 2008, he served a copy of this notice and the indicated document(s) on all attorneys of record by causing them to be issued through the Court's Electronic Case Filing System in accordance with FRCP 5(b)(2)(D), and LR5.9 of the Northern District of Illinois.

/s/ Paul Luka
PAUL LUKA – ARDC # 6288860

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